

DHC / GFW
FE 6128 (US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
 Luigi RESCONI et al.)
 Serial No. 10/571,403) Art Unit: 1712
 Filed March 10, 2006) Examiner: Unknown
 For MULTISTEP PROCESS FOR)
 PREPARING HETEROPHASIC)
 PROPYLENE COPOLYMERS)

Mail Stop Petitions
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

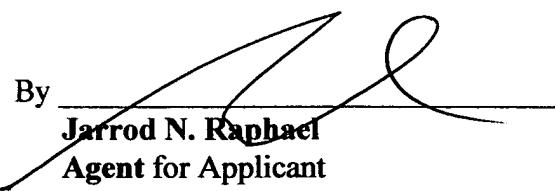
Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:

- Transmittal Letter
- Petition Under 37 CFR 1.53 to Correct Official Filing Receipt (2 pages)
- Attachment A – copy of marked-up Official Filing Receipt (3 pages)
- Attachment B – copy of Assignment Cover Sheet (1 page)
- Attachment C – copy of express mailing airbill w/ acknow card (2 pages)
- Attachment D – copy of Response of November 8, 2006 w/ acknow card (3 pages)

Respectfully submitted,

LUIGI RESCONI ET AL.

By


 Jarrod N. Raphael
 Agent for Applicant
 Registration No. 55,566

Basell USA Inc.
 Delaware Corporate Center II
 2 Righter Parkway, Suite 300
 Wilmington, DE 19803
 Date: January 22, 2008



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Luigi RESCONI et al.)
Serial No. 10/571,403) Art Unit: 1712
Filed March 10, 2006) Examiner: Unknown
For MULTISTEP PROCESS FOR)
PREPARING HETEROPHASIC)
PROPYLENE COPOLYMERS)

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION UNDER 37 CFR 1.53 TO CORRECT OFFICIAL FILING RECEIPT

Applicant respectfully believes the Filing Receipt with a mailing date of September 17, 2007 in connection with the above-captioned application contains the following errors:

I. Assignment for Published Patent Application
“GEORGIA” should be deleted and --GERMANY-- should be inserted instead.

II. Filing or 371 (c) Date should be “03/10/2006” instead of “11/13/2006”.

A copy of the Filing Receipt, marked up accordingly, is submitted herein as Attachment A.

First and foremost, Applicant respectfully believes the typing of “Georgia” instead of “Germany” under the Assignment data was a typographical error on the part of the Patent Office. A copy of the Assignment Cover Sheet evidencing “Germany” as the location of the Assignee is submitted herein as Attachment B.

Additionally, Applicant respectfully submits the above-captioned application was filed at the USPTO with all of the 35 U.S.C. §371 requirements on March 10, 2006. A copy of (i) the express mailing airbill, which was mailed with the application and respective filing papers, and (ii) the duly stamped receipt acknowledgement card are submitted herein as Attachment C.

01/28/2008 SSITHIB1 00000037 082336 10571403
01 FC:1464 139.00 DA

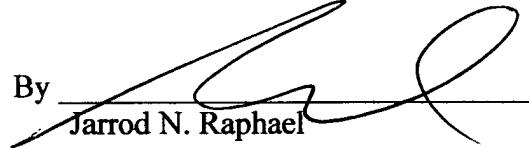
Thereafter, a Notification of Missing Requirements Under 35 U.S.C. §371 was mailed on August 28, 2006, the merits of which were traversed in Applicant's reply of November 8, 2006. A copy of the response and stamped acknowledgement card is submitted herein as Attachment D.

Accordingly, Applicant respectfully requests the Assignment data be corrected accordingly, and the filing date of the above-captioned application be corrected to March 10, 2006. Additionally, Applicant respectfully requests the Patent Office to issue a Corrected Official Filing Receipt for the instant application.

Applicant duly authorizes the Petition fee of \$130.00 to be charged to Deposit Account No. 08-2336. For this reason, this Petition is submitted in duplicate. However, since Applicant respectfully believes the aforementioned errors are not due to the fault of Applicant, Applicant courteously requests the Petition fee of \$130.00 to be refunded to Deposit Account No. 08-2336. The Commissioner is hereby authorized to debit or credit any payment due or any overpayment to Deposit Account No. 08-2336.

Respectfully submitted,

LUIGI RESCONI ET AL.

By 
Jarrod N. Raphael
Reg. No. 55,566
Agent for Applicants

Basell USA Inc.
Delaware Corporate Center II
2 Righter Parkway, Suite 300
Wilmington, DE 19803

January 22, 2008

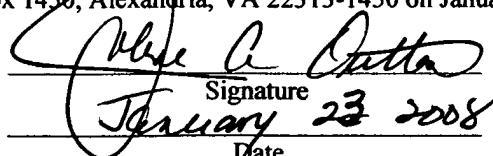
Attachments

Agent's Telephone No.: 302-683-8176

Agent's Facsimile No.: 302-731-6408

Agent's E-mail: jarrod.rafael@lyondellbasell.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 23, 2008.


Signature
January 23 2008
Date



O P T E

JAN 25 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

JL-N

ATTACHMENT A

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILED OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/571,403	11/13/2006	1712	1130	FE 6128 (US)	22	1

34872
 BASELL USA INC. is correct
 INTELLECTUAL PROPERTY date
 912 APPLETON ROAD
 ELKTON, MD 21921

03/10/06

Received Base

SET 14 2001

IP / Law

CONFIRMATION NO. 6685

FILING RECEIPT



OC000000025845219

Date Mailed: 09/17/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Luigi Resconi, Ferrara, ITALY;
 Anteo Pelliconi, Occhiobello-Rovigo, ITALY;
 Paolo Ferrari, Ferrara, ITALY;

Assignment For Published Patent Application

Baseball Polyolefine GmbH, Wesseling

GEORGIA Germany

Power of Attorney: The patent practitioners associated with Customer Number 34872.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/08761 08/04/2004
 which claims benefit of 60/503,283 09/16/2003

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03102735.2 09/11/2003

If Required, Foreign Filing License Granted: 09/14/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/571,403**

Projected Publication Date: 12/27/2007

Non-Publication Request: No

Early Publication Request: No

Title

Multistep Process For Preparing Heterophasic Propylene Copolymers

Preliminary Class

525

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



03-22-2006



10571403

10571403
10 MAR 2006
FE 6128 (US)

03-10-06

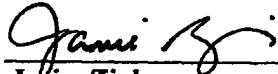
To the Honorable Commissioner for _____ 103202016
Please record the attached original documents or copy thereof.

ATTACHMENT B

1. Name of conveying party(ies): Luigi Resconi
Anteo Pelliconi
Paolo Ferrari
2. Name and address of receiving party: Basell Polyolefine GmbH
Brühler Strasse 60
Wesseling
DE 50389, Germany
3. Nature of conveyance: ASSIGNMENT
Execution Date: February 20, 2006
4. Application number(s) or patent number(s):
If this document is being filed together with a new application, the execution date of the application is: March 10, 2006
A. Patent Application No(s):
B. Patent No(s):
5. Name and address of party to whom correspondence concerning document should be mailed:
Jarrod N. Raphael
Basell USA Inc.
Intellectual Property
912 Appleton Road
Elkton, MD 21921
6. Total number of applications and patents involved: One
7. Total fee: \$40.00
Authorized to be charged to deposit account
8. Deposit account number: 08-2336
9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

03/20/2006 GFREY1 00000039 082336 10571403
05 FL:8021 40.00 DA

Signature


Janice Zink
March 10, 2006

Total number of pages including cover sheet, attachments and document: 4



ATTACHMENT C

 EE 024623699 US		
ORIGIN (POSTAL SERVICE USE ONLY)		
PO ZIP Code 21921	Day of Delivery 4	Postage \$ 16.40
Scheduled Date of Delivery Month 3 Day 11		Return Receipt Fee \$
Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM		COD Fee \$
Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		Insurance Fee \$
Int'l Alpha Country Code		Total Postage & Fees \$ 16.40
Flat Rate <input type="checkbox"/> or Weight 7	lbs. 0.5	Acceptance Emp. Initials SMA
FROM: (PLEASE PRINT) J. Zink Basell USA FAX. II 912 Appleton Rd. Elkhorn, MD 21921		
FOR PICKUP OR TRACKING Visit www.usps.com Call 1-800-222-1811		
		

EXPRESS MAIL *EE 024623699* **Customer Copy**
UNITED STATES POSTAL SERVICE® **Post Office To Addressee**

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
Mo. Day		Employee Signature
Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
Mo. Day		Employee Signature
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
Mo. Day		Employee Signature
CUSTOMER USE ONLY		
PAYMENT BY ACCOUNT		
Express Mail Corporate Acct. No.		
Federal Agency Acct. No. or Postal Service Acct. No.		
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is held if customer requests waiver of signature. I wish delivery to be made without delivery employee's signature of addressee or addressee's agent (if delivery employee is a U.S. Postal Service employee, a judge that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
<input type="checkbox"/> NO DELIVERY Weekend <input type="checkbox"/> Holiday <input type="checkbox"/> Mailer Signature		
TO: (PLEASE PRINT) Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA		
ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)		
<input type="checkbox"/> 2 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 1 <input type="checkbox"/> 3 + <input type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 0		
FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.		
		



TO date stamp hereon is in acknowledgment that on this date PTO received:

TRANSMITTAL LETTER
FORM PTO-1390 (in duplicate)
APPLICATION DATA SHEET (3 pages)
PRELIMINARY AMENDMENT (2 pages)
ATTACHMENT A - CLAIMS (7 pages)
COPY OF PCT REQUEST (6 pages)
COPY OF INTERNATIONAL APPLN (24 pages)
ASSIGNMENT COVER SHEET (1 page)
COPY OF ASSIGNMENT (3 pages)

10/571403

Received Basell

in reference to U.S. Patent Application of Luigi Resconi et al. filed ^{MARK 7 2006}
this 10th day of March 2006, entitled **MULTISTEP PROCESS FOR PREPARING
HETEROPHASIC PROPYLENE COPOLYMERS**

IP / Law

Atty Dkt No: FE 6128 (US)

EARLY NOTIFICATION OF SERIAL NUMBER REQUESTED

IAP7 Rec'd PCT/PTO 10 MAR 2006

ATTACHMENT D

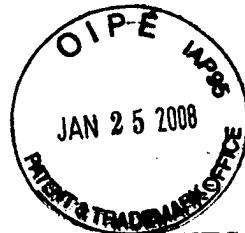
The PTO date stamp hereon is in acknowledgment that on this date PTO received:

TRANSMITTAL LETTER
PETITION FOR EXTENSION OF TIME (in duplicate)
LETTER TRANSMITTING MISSING REQ.
COPY OF FORM PCT/DO/EO/905
COPY OF PCT REQUEST WITH DECLARATION (6 pages)

in reference to U.S. Patent Application of **Luigi RESCONI et al.**, S.N. **10/571,403**, filed **March 10, 2006**.

Atty Dkt No: **FE 6128 (US)**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of)
Luigi RESCONI et al.)
Serial No. 10/571,403)
Filed: **March 10, 2006**)
For **MULTISTEP PROCESS FOR PREPARING**)
HETEROPHASIC PROPYLENE)
COPOLYMERS)

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

LETTER TRANSMITTING MISSING REQUIREMENTS UNDER 35 USC 371

In reference to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office, mailed August 28, 2006, and the statement that the Oath or Declaration does not comply with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date, please note the papers filed for this application on March 10, 2006, included a copy of the PCT Request, which included the completed Declaration in Box No. VIII (iv) as well as the signature of the inventors named in Box No. X. Furthermore, the identification of the International application number and filing date were indicated on page 1 of the PCT Request form. We enclose a copy of the PCT Request filed on March 10, 2006, herein.

Accordingly, no fee under 37 CFR 1.492(h) is believed to be due with this response given Applicant previously filed a Declaration with the PCT Request. However, if a fee is due, please charge Deposit Account No. 08-2336.

A Petition for Extension of Time accompanies this communication.

Respectfully submitted,

LUIGI RESCONI ET AL.

By William R. Reid
William R. Reid
Registration No. 47,894
Attorney for Applicant

Basell USA Inc.
912 Appleton Road
Elkton, Maryland 21921

November 7, 2006

Attorney's Telephone No.: 410-996-1783
Attorney's Facsimile No.: 410-996-1560
Attorney's E-mail: william.reid@basell.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2006.

William R. Reid
Signature
November 8 2006
Date